

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JUDY PYATT,**

**Plaintiff,**

**vs.**

**Civil Action 2:09-cv-00475**

**Judge Algenon L. Marbley**

**Magistrate Judge E. A. Preston Deavers**

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

**ORDER**

This matter is before the Court for consideration of the December 17, 2010, Report and Recommendation of the Magistrate Judge (ECF No. 30). The Magistrate Judge recommended that the Court grant Plaintiff's Motion for Attorney Fees Under the Equal Access to Justice Act (ECF No. 28) and award Plaintiff fees in the amount of \$2,156.25.

The Report and Recommendation of the Magistrate Judge specifically advises parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (ECF No. 30 at 15–16). The time period for filing objections to the Report and Recommendation has expired. Defendant has not objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred. Noting that no objections have

been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly, the Court **GRANTS** Plaintiff's Motion for Attorney Fees Under the Equal Access to Justice Act (ECF No. 28) and **AWARDS** Plaintiff fees in the amount of \$2,156.25.<sup>1</sup>

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**

**DATED: January 12, 2011**

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<sup>1</sup> Consistent with the language in the Report and Recommendation, the Court awards fees directly to Plaintiff and issues no directive as to the direction Defendant must pay these fees.